

EXHIBIT B

	Plaintiff FOUNTAIN, ROGER		
	Total Financial Assessment		31.00
	Total Payments and Credits		31.00
	Balance Due as of 07/20/2012		0.00
06/21/2012	Transaction Assessment		31.00
06/21/2012	Payment	Receipt # 2012-0002780-JP32	FOUNTAIN, ROGER (31.00)

CAUSE # 032-SC-12-123

ROGER FOUNTAIN
Plaintiff

VS

In the Small Claims Court

Precinct Three, Place Two

Collin County, Texas

NORTH AMERICAN BANCARD, LLC
Defendant DBA PAY ANYWHERE, LLC
By Serving: MICHAEL SAUER

PLAINTIFF'S STATEMENT OF CLAIM

ROGER FOUNTAIN, Plaintiff, whose TX Drivers License number [redacted] State [redacted] last 3 numbers [redacted]

and Social Security number is ***-**-**** [redacted] and whose MAILING address is:

P.O. Box 868135 PLANO TX 75086
Street City State Zip

Collin (County) Texas, and telephone numbers are:

214-701-4531 (daytime) 214-556-3623 (FAX) rcfountain@live.com (email)

North American Bancard, LLC DBA, Defendant, whose PHYSICAL address PAY ANYWHERE, LLC.

250 STEPHENSON HWY TROY MI 48083
Street City State Zip

Oakland County, Texas, 877-387-5640 and whose WK Drivers License
Phone Number State

number is ***** WK and Social Security number is ***-**-**** WK and is justly
last 3 numbers last 3 numbers

indebted to the Plaintiff in the sum of: \$ 10,000.00 plus court costs of \$ 500.00

for reason(s) of: violations of state and federal laws, including the
Do Not Call Registry Telephone Consumer Protection Act, and
Various "SPAM" laws.

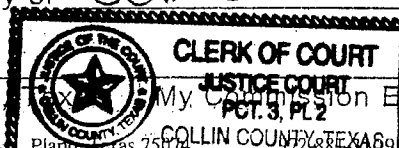
plus attorney fees if applicable

Plaintiff (SIGNATURE MUST BE NOTARIZED AT COURT or PRIOR TO FILING)

On this the day, the above named person appeared and swore on an affidavit under oath that the above information set out herein is true and correct.

Subscribed to and Sworn before me this 21st day of June, 2012

JP 3-2 Court Clerk OR Notary Public, Collin County



I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE COURT, PCT. 3, PLACE TWO, COLLIN COUNTY, TEXAS. I HAVE FILED THE ORIGINAL DOCUMENT IN THE OFFICE OF THE CLERK OF COURT, JUSTICE COURT PCT. 3-2, COLLIN COUNTY, TEXAS.

FILED
2012 JUN 21 PM 4:12
JUSTICE COURT
PCT. 3, PL 2
COLLIN COUNTY, TEXAS

CASE NO. 32-SC-12-123

AFFIDAVIT SECTION 201 (b)

Plaintiff being duly sworn on oath deposes and says that defendant (s):

(Please check the ONE that applies, sign below as Plaintiff
and have this form Notarized)

- ☒ is NOT in the military.
- ☐ is NOT on active duty in the military and/or
- ☐ is NOT in a foreign country on military service.
- ☐ is on active military duty and/or is subject to the
Service members Civil Relief Act of 2003.
- ☐ defendant has waived his rights under the
Service members Civil Relief Act of 2003.
- ☐ military status is unknown at this time.

FILED
2012 JUN 21 PM 4:12
JUSTICE COURT
PCT. 3, PL. 2
COLLIN COUNTY, TEXAS


PLAINTIFF

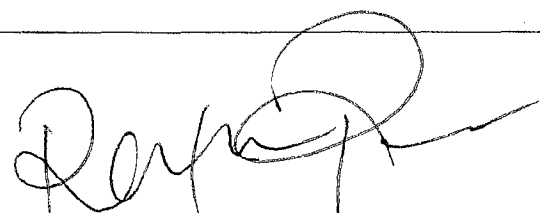
Sworn to and subscribed before me on the 21st day of June

STATE OF TEXAS
COUNTY OF COLLIN

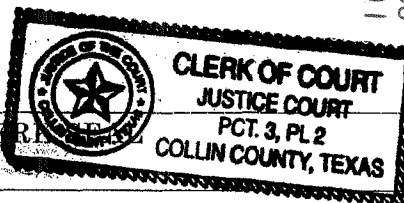
NOTARY PUBLIC SIGNATURE

SEAL

OR


CLERK OF THE COURT

CLERK OF COURT



I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.

FILED
2012 JUN 21 PM 4:12
JUSTICE COURT
PCT. 3, PL. 2
COLLIN COUNTY, TEXAS

Penalty for making or using false affidavit -- a person who makes or uses an
affidavit knowing it to be false, shall be fined as provided in the Title 18 United
States Code, or imprisoned for not more than one year, or both.

THE STATE OF TEXAS

CITATION

TO THE DEFENDANT: NORTH AMERICAN BANCARD, LLC DBA PAY ANYWHERE, LLC

GREETINGS:

"YOU HAVE BEEN SUED. YOU MAY EMPLOY AN ATTORNEY. IF YOU (OR YOUR ATTORNEY) DO NOT FILE A WRITTEN ANSWER WITH THE CLERK WHO ISSUED THIS CITATION BY 10:00 A.M. ON THE MONDAY NEXT FOLLOWING THE EXPIRATION OF TEN DAYS AFTER YOU WERE SERVED THIS CITATION AND PETITION, A DEFAULT JUDGMENT MAY BE TAKEN AGAINST YOU"

YOU ARE HEREBY COMMANDED to be and appear before me, a Justice of the Peace, in and for Precinct 3-2, Collin County, Texas, at or before Ten O'clock A.M., on the Monday next after the expiration of 10 days from the date of service hercof, then and there to answer to the petition of the plaintiff.

Type of Case: **Small Claims**

Docket Number: **32-SC-12-00123**

STYLE

Plaintiff

ROGER FOUNTAIN

**PO BOX 868135
PLANO TX 75086
Represented by:**

Defendant

**NORTH AMERICAN BANCARD,
LLC DBA PAY ANYWHERE, LLC
BY SERVING:
MICHAEL SAUER
250 STEPHENSON HWY
TROY MI 48083
Represented by:**

Filed on **June 21, 2012.**

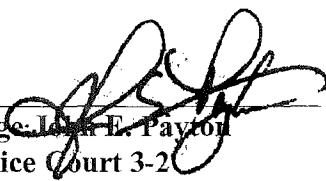
The nature of the plaintiff's demand being suit upon: See Attached Petition

For \$ 10,000.00; 31.00 Court Costs; Attorney's fees TBD.

Date Citation Issued: **June 21, 2012**

Citation Placed in the Hands of: CERTIFIED MAIL

Given under my hand officially this **21st day of June, 2012.**


Judge **John E. Payton**
Justice Court 3-2
920 E. Park Boulevard
Suite 210
Plano, Texas 75074
972-881-3180



I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE COURT, PCT. THREE PLACE TWO OF COLLIN-COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE COURT.


CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

Judge John Payton
Area 3, Place 2
920 E. PARK Blvd.
Suite 210
PLANO, TX 75074

North American Bancard, LLC,
DBA Pay Any where LLC.
ATTN: MICHAEL SAUER OF
⊗ LEGAL DEPARTMENT ⊗
250 Stephenson Hwy
TROY, MI 48063



I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.

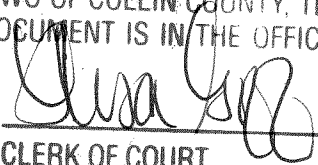
CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.


CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

• Sender: Please print your name, address, and ZIP+4 in this box •

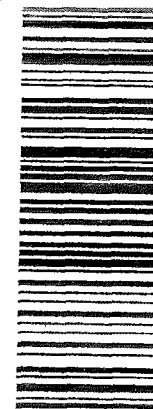
Judge John Payton
Justice Court
Precinct 3, Place 2
920 E. PARK Blvd. Suite 210
Plano, TX 75074

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		A. Signature X <div style="float: right;"> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee </div>	
1. Article Addressed to: MICHAEL SAUER c/o North American Bancard, LLC, PBA Pay Anywhere, LLC 250 Stephenson Hwy TROY, MI 48083		B. Received by (Printed Name)	C. Date of Delivery
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
2. Article Number (Transfer from service label) 7011 1150 0001 9196 5078		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS. FOLD AT DOTTED LINE.

CERTIFIED MAIL™



7011 1150 0001 9196 5078
7011 1150 0001 9196 5078

U.S. Postal Service™
CERTIFIED MAIL™
(Domestic Mail Only; No Insu...)
For delivery information visit our
OFFICIAL

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Sent To
MICHAEL SAUER c/o
Street, Apt. No.,
or PO Box No. **250 Steph**
City, State, ZIP+4 **TROY, MI**

PS Form 3800, August 2005

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.

Gina G...
CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

FIGARI & DAVENPORT

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING LIMITED LIABILITY PARTNERSHIPS

3400 Bank of America Plaza
901 Main Street, LB 125
Dallas, Texas 75202-3796
214-939-2000
Fax: 214-939-2090

Writer's Direct Dial Number
214-939-2009

Writer's E-Mail Address
andy.jubinsky@figdav.com

FILED
2012 JUL -6 PM 2:54
CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

July 5, 2012

VIA FEDEX 7985 8669 6386

Judge John E. Payton
Justice Court 3-2
920 E. Park Blvd, Suite 210
Plano, TX 75074

Re: Cause No. 032-SC-12-00123; *Roger Fountain vs. North American Bancard, LLC dba Pay Anywhere, LLC*

Dear Judge Payton:

Enclosed please find the original and two copies of Defendant's Answer in the above-referenced matter, along with a self-addressed stamped envelope for the return of a file-stamped copy of the answer.

Best regards,

Andrew G. Jubinsky

Enclosures

cc: (w/encl)

Via CMRRR 7160 3605 3200 1010 9464
Roger Fountain
P.O. Box 868135
Plano, TX 75086

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.

CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

From: (214) 939-2000
Andrew Jubinsky
FIGARI & DAVENPORT, LLP
901 MAIN STREET, SUITE 3400

Origin ID: RBDA



J12201205300325

DALLAS, TX 75202

SHIP TO: (972) 881-3180
Judge John E. Payton
Justice Court 3-2
920 E PARK BLVD
STE 210
PLANO, TX 75074

BILL SENDER

Ship Date: 05 JUL 12
ActWgt: 0.2 LB
CAD: 9498768/INET3300

FILED

Delivery Address Bar Code



2012 JUL -6 PM 2: 54

Ref # 16464-0001
Invoice #
PO #
Dept #

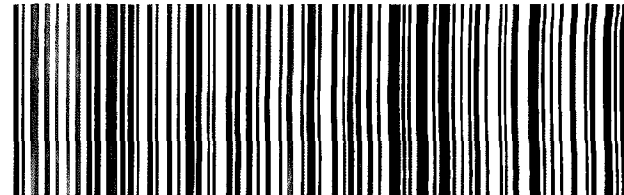
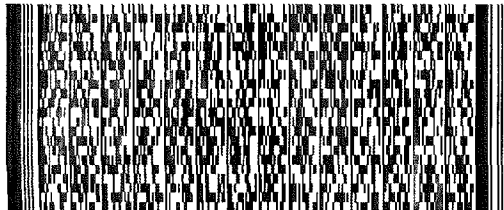
JUSTICE COURT
PCT. 3 PCT. 2
COLLIN COUNTY, TEXAS

FRI - 06 JUL A1
STANDARD OVERNIGHT

TRK# 7985 8669 6386
0201

AD DNEA

75074
TX-US
DFW



515G1/E052/AA44

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE POSSESSION OF THE COURT.

Debra Galt
CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY TEXAS

2012 JUL -6 PM 2:55

CAUSE NO. 032-SC-12-00123

ROGER FOUNTAIN,

Plaintiff,

v.

NORTH AMERICAN BANCARD, LLC
DBA PAY ANYWHERE, LLC,

Defendant.

§
§
§
§
§
§
§
§

IN THE SMALL CLAIMS COURT

PRECINCT THREE, PLACE TWO

COLLIN COUNTY, TEXAS

DEFENDANT'S ANSWER

Defendant files its answer, and states:

1. **General Denial.** Subject to such admissions and stipulations as may be made at or before time of trial, Defendant generally and specially denies the material allegations in Plaintiff's Statement of Claim, pursuant to Tex. R. Civ. P. 92, and demands strict proof thereof in accordance with the requirements of the laws of this state.

2. **Relief Requested.** Defendant requests the following relief:

- (a) That Plaintiff take nothing by reason of his suit;
- (b) That Plaintiff be dismissed with its costs; and
- (c) That Defendant have such other and further relief, both general and special, at law and in equity, to which it may show itself justly entitled.

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF THE COURT.

CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

FILED

Respectfully submitted,

2012 JUL -6 PM 2:55

By:

Andrew G. Jubinsky
State Bar No. 11043000
andy.jubinsky@figdav.com

JUSTICE COURT
PCT. 3-2
COLLIN COUNTY, TEXAS

FIGARI & DAVENPORT, L.L.P.

3400 Bank of America Plaza
901 Main Street
Dallas, Texas 75202
Telephone: (214) 939-2000
Facsimile: (214) 939-2090

ATTORNEYS FOR NORTH AMERICAN
BANCARD, LLC DBA PAY ANYWHERE, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing instrument has been served on the following on July 5, 2012:

Roger Fountain
P.O. Box 868135
Plano, TX 75086

Via CMRRR 7160 3605 3200 1010 9464

Andrew G. Jubinsky

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.

CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

FIGARI & DAVENPORT

A REGISTERED LIMITED LIABILITY PARTNERSHIP
INCLUDING LIMITED LIABILITY PARTNERSHIPS

3400 Bank of America Plaza
901 Main Street, LB 125
Dallas, Texas 75202-3796
214-939-2000
Fax: 214-939-2090

Writer's Direct Dial Number
214-939-2009

Writer's E-Mail Address
andy.jubinsky@figdav.com

FILED

2012 JUL -6 PM 2:54

CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY, TEXAS

July 5, 2012

VIA FEDEX 7985 8669 6386

Judge John E. Payton
Justice Court 3-2
920 E. Park Blvd, Suite 210
Plano, TX 75074

Re: Cause No. 032-SC-12-00123; *Roger Fountain vs. North American Bancard, LLC dba Pay Anywhere, LLC*

Dear Judge Payton:

Enclosed please find the original and two copies of Defendant's Answer in the above-referenced matter, along with a self-addressed stamped envelope for the return of a file-stamped copy of the answer.

Best regards,


Andrew G. Jubinsky

Enclosures

cc: (w/encl)

Via CMRRR 7160 3605 3200 1010 9464
Roger Fountain
P.O. Box 868135
Plano, TX 75086

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT
COPY OF THE RECORDS OF THE JUSTICE OF THE PEACE
COURT PCT. THREE PLACE TWO OF COLLIN COUNTY, TEXAS
AND THAT THE ORIGINAL DOCUMENT IS IN THE OFFICE OF
THE COURT.


CLERK OF COURT

JUSTICE COURT PCT. 3-2
COLLIN COUNTY TEXAS

From: (214) 939-2000
Andrew Jubinsky
FIGARI & DAVENPORT, LLP
901 MAIN STREET, SUITE 3400

Origin ID: RBDA



J12201205300325

DALLAS, TX 75202

SHIP TO: (972) 881-3180
Judge John E. Payton
Justice Court 3-2
920 E PARK BLVD
STE 210
PLANO, TX 75074

BILL SENDER

Ship Date: 05 JUL 12
ActWgt: 0.2 LB
CAD: 9498768/INET3300

FILED

Delivery Address Bar Code



2012 JUL -6 PM 2:54

Ref # 16464-0001
Invoice #
PO #
Dept #

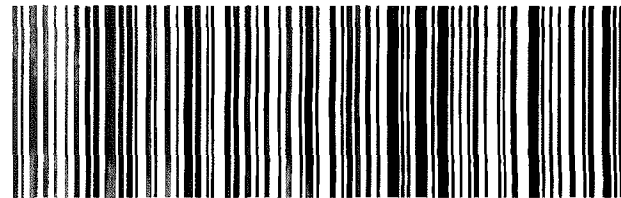
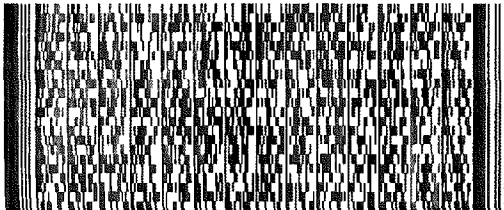
JUSTICE COURT
PCT. 3-2
COLLIN COUNTY, TEXAS

FRI - 06 JUL A1
STANDARD OVERNIGHT

TRK# 7985 8669 6386
0201

AD DNEA

75074
TX-US
DFW



515G1/E052/AA44

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or this information, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

I CERTIFY THAT THIS DOCUMENT IS A TRUE AND CORRECT COPY OF THE RECORDS OF THE JUSTICE COURT PCT. 3-2 AND THAT THE ORIGINAL DOCUMENT IS IN THE COURT.

CLERK OF COURT
JUSTICE COURT PCT. 3-2
COLLIN COUNTY TEXAS